



**UNITED STATES DEPARTMENT OF COMMERCE**  
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DAVID L. FEIGENBAUM  
FISH AND RICHARDSON  
225 FRANKLIN STREET  
SUITE 3100  
BOSTON MA 02110-2804

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OCT 27 1997

JOHN EXAMINER	
ART UNIT 6	
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OCT 28 1997

DAVID L. FEIGENBAUM

FISH & RICHARDSON P.C.  
NOTICE OF ABANDONMENT

This application is abandoned in view of:

1. ☐ Applicant's failure to respond to the Office letter, mailed \_\_\_\_\_.
2. ☐ Applicant's letter of express abandonment which is in compliance with 37 C.F.R. 1.138.
3. ☐ Applicant's failure to timely file the response received \_\_\_\_\_ within the period set in the Office letter.
4. ☐ Applicant's failure to pay the required issue fee within the statutory period of 3 months from the mailing date of \_\_\_\_\_ of the Notice of Allowance.
  - ☐ The issue fee was received on \_\_\_\_\_.
  - ☐ The issue fee has not been received in Allowed Files Branch as of \_\_\_\_\_.

In accordance with 35 U.S.C. 151, and under the provisions of 37 C.F.R. 1.316(b), applicant(s) may petition the Commissioner to accept the delayed payment of the issue fee if the delay in payment was unavoidable. The petition must be accompanied by the issue fee, unless it has been previously submitted, in the amount specified by 37 C.F.R. 1.17(l), and a verified showing as to the causes of the delay.

If applicant(s) never received the Notice of Allowance, a petition for a new Notice of Allowance and withdrawal of the holding of abandonment may be appropriate in view of *Delgar Inc. v. Schuyler*, 172 U.S.P.Q. 513.

5. ☐ Applicant's failure to timely correct the drawings and/or submit new or substitute formal drawings by \_\_\_\_\_ as required in the last Office action.
  - ☐ The corrected and/or substitute drawings were received on \_\_\_\_\_.
6. ☒ The reason(s) below.

Abandoned in favor of FWC, SIN 08/886,226.

* No Docketing Required *
Reviewed By Practice Systems
Initials: <i>pm</i>
Reviewed By Billing Secretary
Initials: _____